

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- e. Subject to the condition set forth in Paragraph 6 below: any person from who testimony is taken or is to be taken in this action, except that such a person may only be shown Confidential Information during and in preparation for his/her testimony and may not retain the Confidential Information; and
5. Prior to disclosing or displaying Confidential Information to any person, counsel shall:
 - a. inform the person of the confidential nature of the information or documents;
 - b. inform the person that this Court has enjoined the use of the information or documents by him/her for any purpose other than this litigation and has enjoined the disclosure of that information or documents to any other person.
6. The Confidential Information may be displayed to and discussed with the persons identified in Paragraphs 4(d) and (e) only on condition that prior to any such display each person must sign an agreement to be bound by this Order in the form attached hereto as Exhibit A. In the event that such person refuses to sign an agreement in the form attached as Exhibit A, the party desiring to disclose the Confidential Information may seek appropriate relief from the Court.
7. The disclosure of a document or information without designating it as “confidential” shall not constitute a waiver of the right to designate such document or information as Confidential Information provided the material is designated pursuant to the procedures set forth herein no later than fourteen (14) days after the close of discovery. If so designated, the document or information shall thenceforth be treated as Confidential Information subject to all of the terms of the Stipulation and Order.
8. All information subject to confidential treatment in accordance with the terms of this Stipulation and Order that is filed with the Court, including any pleadings, motions or other papers filed with the Court that includes Confidential Information, shall be filed under seal to the extent permitted by law, including, without limitation, any applicable rules of Court, and shall be kept under seal until further order of the Court. To the extent that the Court requires any further act by the parties as a precondition to the filing of documents under seal (beyond the submission of this Stipulation and Order Regarding Confidential Information), it shall be the obligation of the filing party to satisfy any such precondition. Where possible, only confidential portions of the filings with the Court shall be filed under seal.
9. At the conclusion of the litigation, the Confidential Information and any copies thereof shall be promptly (and in no event no later than thirty (30) days after entry of final judgment no longer subject to further appeal) returned to the producing party or certified as destroyed, except that the parties’ counsel shall be permitted to retain their working files on the condition that such files will remain confidential.

10. The foregoing is without prejudice to the right of any party to apply to the Court for any further Protective Order relating to Confidential Information; or to object to the production of documents or information; or to apply to the Court for an order compelling production of documents or information; or for modification of this order. This Order may be enforced by any party and any violation of this order may result in the imposition of sanctions by the Court.
11. The parties agree that, based on the provisions set forth above, this Stipulated Protective Order is a “qualified protective order” as defined by the Health Insurance Portability and Accountability Act and its controlling regulations. *See* 45 CFR 164.512(e)(1)(v).

SO-STIPULATED:

EL-HAG AND ASSOCIATES, P.C.

By: 
Jordan A. El-Hag

El-Hag and Associates, P.C.
91 New Street
Ridgefield, CT 06877
(914) 755-1579
Attorneys for Plaintiff

GARFUNKEL WILD, P.C.

By: /s/ 
Marianne Monroy
Harpreet Kaur

111 Great Neck Road
Great Neck, New York 11021
(516) 393-2200
Attorneys for Defendant

SO ORDERED:

Date: White Plains, NY
December 4, 2023


PHILIP M. HALPERN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		:
AMY MOORE,		:
	Plaintiff,	:
		:
vs.		:
		:
WESTCHESTER MEDICAL CENTER HEALTH		:
NETWORK,		:
		:
	Defendant.	:
		:
-----X		:

**DECLARATION TO BE BOUND BY
PROTECTIVE ORDER**

7:23-CV-01046 (PMH)

I have been informed by counsel that certain documents or information to be disclosed to me in connection with the matter entitled: have been designated as confidential. I have been informed that any such documents or information labeled “CONFIDENTIAL” are confidential by Order of the Court.

I hereby agree that I will not disclose any information contained in such documents to any other person. I further agree not to use any such information for any purpose other than this litigation.

DATED:

(Signature)

Signed in the presence of:

(Attorney)